

RESOLUTION CLOSING A PORTION OF BRUNSWICK AVENUE
IN THE CITY OF CHARLOTTE.

WHEREAS, in accordance with the provisions of the General Statutes of North Carolina, Chapter 153, Section 9, Subsection 17, and Chapter 160, Section 200, Subsection 11, it is advisable that a portion of Brunswick Avenue located in the City of Charlotte be closed, subject to the reservation of utility easements for utilities (water, sewer and gas) presently located within the street right of way; and

WHEREAS, the City Council has caused to be published a notice of public hearing and has caused registered notices to be sent to those landowners adjoining the affected portion of Brunswick Avenue who did not join in the petition, all in accordance with the said statutes; and

WHEREAS, the public hearing was held on the 19th day of July, 1965; and

WHEREAS, the recipients of the registered notice, R. J. L. Corporation, E. C. Griffith and the Miller Clinic, Twiford Investment Company own all of the land adjoining the affected portion of Brunswick Avenue; and

WHEREAS, no persons or parties in interest have appeared in opposition to the closing of said portion of Brunswick Avenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

That the City Council hereby orders the closing of Brunswick Avenue as described below, reserving unto the City of Charlotte and Piedmont Natural Gas Company, Inc., utility easements for utilities presently located within the right of way described below, it appearing to the satisfaction of the City Council that the closing of that portion of Brunswick Avenue is not contrary to the public interest and that no individuals, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property:

BEGINNING at a point in the easterly margin of Kings Drive, said point being the point of intersection of the old southerly margin of Brunswick Avenue and the easterly margin of Kings Drive; said point also being the northwest corner of the R. J. L. Corporation property which is described in Deed Book 2070, at page 516 of the Mecklenburg Public Registry, and being situated S. 6-56 W. 124.88 feet from the point of intersection of the easterly margin of Kings Drive and the present centerline of the 50 foot

right of way of Brunswick Avenue; thence with the easterly margin of Kings Drive N. 6-56 E. 50.00 feet to the point of intersection of the easterly margin of Kings Drive and the old northerly margin of Brunswick Avenue, said point being the southwest corner of the E. C. Griffith property which is described in Deed Book 2294, at page 187 of the Mecklenburg Public Registry; thence with the old northerly margin of Brunswick Avenue and the southerly boundary of the E. C. Griffith property in two courses as follows: (1) S. 83-04 E. 100.00 feet to a point of curvature; (2) 100.63 feet along the arc of a circular curve to the right having a radius of 342.65 feet to a point in the present southwesterly margin of Brunswick Avenue; thence along the present southwesterly margin of Brunswick Avenue S. 34-52-20 E. 178.26 feet to a point of tangency in the old southerly margin of Brunswick Avenue, said point also being in the northeasterly boundary of the Miller Clinic, Twiford Investment Company, property which is described in Deed Book 1971, at page 569 of the Mecklenburg Public Registry; thence with the old southerly margin of Brunswick Avenue and the North-easterly boundary of the Miller Clinic, Twiford Investment Company, property in a northwesterly direction 176.17 feet along the arc of a circular curve to the left having a radius of 292.65 feet to a point of the curve, said point being the northwesterly corner of the Miller Clinic, Twiford Investment Company property; said point also being the northeasterly corner of the previously mentioned R. J. L. Corporation property; thence continuing with the arc of said curve 70.00 feet in a northwesterly direction along the old southerly margin of Brunswick Avenue and the northerly boundary of the R. J. L. Corporation property to a point of tangency; thence continuing along the old southerly margin of Brunswick Avenue and the northerly margin of the R. J. L. Corporation property N. 83-04 W. 100.00 feet to the point of BEGINNING and containing 12,513 square feet or 0.29 acres.

This described parcel of property was a portion of the 50 foot wide Brunswick Avenue right of way and is now abandoned for street purposes, subject to the reservation to the City of Charlotte and to Piedmont Natural Gas Company, Inc., of utility easements for those utilities presently located within that right of way.

BE IT FURTHER RESOLVED that a certified copy of this resolution, copies of the registered letters giving notice of the public hearing, and copies of returned receipts thereof, be filed in the office of the Register of Deeds of Mecklenburg County, North Carolina.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council in meeting on the 19th day of July, 1965, the reference having been made in Minute Book 45 at Page _____ and recorded in full in Resolutions Book 5, at Page 49.

Lillian R. Hoffman
City Clerk

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RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS ON WESTBURY ROAD, FROM PROVIDENCE ROAD TO ROBIN ROAD, AND ON CLOVER ROAD FROM SHARON-AMITY ROAD TO WESTBURY ROAD.

WHEREAS, the City Council has been petitioned to make improvements on Westbury Road, from Providence Road to Robin Road, and on Clover Road from Sharon-Amity Road to Westbury Road, pursuant to the General Statutes and City Charter, and the City Clerk has certified the sufficiency of said petition and submitted same to the City Council, and

WHEREAS, the City Council has held a public hearing on said petition and now determines that said improvements should be made, NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina:

1. That said petition is duly signed by 66.7% of the number of owners, who represent 62.4% of all the lineal feet of frontage, of the lands abutting upon the proposed improvements and that said petition is hereby determined to be sufficient.
2. That Westbury Road, from Providence Road to Robin Road, and Clover Road, from Sharon-Amity Road to Westbury Road, a distance of approximately 2378 feet (4756.20 front feet), be permanently improved by installation of storm drainage facilities and construction of standard curb and gutter.
3. That the entire cost of such improvements, exclusive of the cost as incurred at street intersections, shall be assessed upon the properties abutting the improvements according to the extent of the respective frontage thereon by an equal rate per foot of such frontage.
4. That the property owners shall have the option of paying such assessment in cash within thirty (30) days from the first publication of

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notice of the assessment, without interest, or, if they should so elect and give notice in writing to the City within said thirty (30) days, they shall have the option of paying the assessment in not less than two or more than ten equal annual installments, with interest at the rate of six per cent (6%) per annum. The first installment with interest shall become due and payable on the date on which taxes are payable, and one subsequent installment and interest shall be due and payable on said date in each successive year until the assessment is paid in full.

5. That this resolution be published as required by law.

Approved as to form:

John T. Morrissey, Sr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 19th day of July, 1965, the reference having been made in Minute Book 45, at Page and recorded in full in Resolutions Book 5, beginning at Page 51.

Lillian R. Hoffman
City Clerk

RESOLUTION PUBLISHED ONE TIME ON TUESDAY, JULY 27th in The Charlotte News.

A RESOLUTION PROVIDING FOR PUBLIC
HEARINGS ON PETITIONS FOR ZONING CHANGES

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 65-71 through 65-77 are on record in the Office of the City Clerk, and

WHEREAS, the City Council deems it in the public interest that hearings be held on said petitions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Council Chamber on the Second Floor of the Charlotte City Hall beginning at 2:00 o'clock P.M., on Monday, the 16th day of August, 1965 on petitions for zoning changes numbered 65-71 through 65-77.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

APPROVED AS TO FORM:

John T. Morrissey, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 19th day of July, 1965, the reference having been made in Minute Book 45, and recorded in full in Resolutions Book 5, at Page 53.

Lillian R. Hoffman
City Clerk

NOTICE PUBLISHED IN THE CHARLOTTE NEWS ON July 30th and August 6th.

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR
ACQUISITION OF PROPERTY OF CHARLOTTE MEAT CENTER, INC.
FRONTING ON EAST FOURTH STREET, SOUTH MORROW STREET, AND
EAST TRADE STREET FOR THE NORTHWEST EXPRESSWAY

WHEREAS, the Charlotte Meat Center, Inc. was the owner of five (5) lots of land bounded by East Trade Street, South Morrow Street, and East Fourth Street in the City of Charlotte which were needed for right of way purposes for the Northwest Expressway Project, and

WHEREAS, Charlotte Meat Center, Inc. and the City of Charlotte entered into an agreement for the purchase of those five (5) lots at the price of \$127,250.00, and

WHEREAS, two (2) lots bounded by East Trade Street, South Morrow Street, and East Fourth Street were and are subject to a lease to Mann and Fee Incorporated, and a lease to Sno-White Launderers and Dry Cleaners, Inc., which Charlotte Meat Center, Inc. would or could not terminate so that the City could acquire the fee simple title free and clear of all encumbrances, and

WHEREAS, pursuant to an agreement between Charlotte Meat Center, Inc. and the City the purchase price previously agreed upon was divided and a price assigned to each of the five (5) lots and the three (3) lots not subject to the aforesaid leases were acquired by deeds recorded in the Mecklenburg Public Registry in Deed Book 2566, at page 21 and in Deed Book 2561, at page 216, and

WHEREAS, the total price agreed upon and assigned to the two (2) lots of land subject to the aforesaid leases was \$43,625.00, and

WHEREAS, the Charlotte Meat Center, Inc. had not and will not terminate the aforesaid leases and convey the two (2) lots to the City free and clear of all encumbrances, and

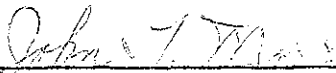
WHEREAS, the City Council finds as a fact that it is necessary to acquire the two (2) lots described above and located in the City of Charlotte for right of way purposes for the Northwest Expressway Project,

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Chapter 713 of the 1965 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the two (2) lots of land owned by Charlotte Meat Center, Inc. bounded by East Trade Street, South Morrow Street, and East Fourth Street in the City of Charlotte under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended, and

BE IT FURTHER RESOLVED that \$43,625.00, the amount of the appraised valuation of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:



John T. Morrissey, Sr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 19th day of July, 1965, the reference having been made in Minute Book 45, at Page and recorded in full in Resolutions Book 5, beginning at Page 54.

Lillian R. Hoffman
City Clerk